

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 Donald E. Mitchell Jr.,

Case No.: 2:19-cv-01827-JAD-DJA

4 Plaintiff

5 v.

**Order Granting
Motion to Voluntarily Dismiss**

6 Brian Williams et al.,

[ECF No. 6]

7 Defendants

8
9 Donald E. Mitchell Jr. moves to voluntarily dismiss this case,¹ which has not yet been
10 screened. Federal Rule of Civil Procedure 41(a)(1) allows a plaintiff to dismiss an action
11 without a court order by filing “a notice of dismissal before the opposing party serves either an
12 answer or a motion for summary judgment.”² I grant Mitchell’s motion to voluntarily dismiss
13 this action because no responsive pleading has been filed in this case. I dismiss this action
14 without prejudice.

15 Good cause appearing, IT IS HEREBY ORDERED that plaintiff’s motion to voluntarily
16 dismiss [ECF No. 6] is **GRANTED** and the application to proceed *in forma pauperis* [ECF No.
17 1] is **DENIED as MOOT**.

18 IT IS FURTHER ORDERED that the Clerk of the Court close the case and enter
19 judgment accordingly.

20 Dated: May 13, 2020

21
22 
U.S. District Judge

23 ¹ ECF No. 6.

² Fed. R. Civ. P. 41(a)(1)(A)(i).